

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

RICHARD HUBBARD, III, et al.,)	CASE NO.:
)	
Plaintiffs,)	JUDGE:
)	
vs.)	<u>NOTICE OF REMOVAL</u>
)	
CITY OF EUCLID, et al.,)	
)	
Defendants)	

TO THE JUDGES, UNITED STATES DISTRICT COURT, NORTHERN DISTRICT
OF OHIO, EASTERN DIVISION:

1. On September 6, 2018, Plaintiffs commenced an action in the Cuyahoga County Court of Common Pleas, Ohio, bearing Case No. CV 18 903373, entitled “Richard Hubbard, III, et al. v. City of Euclid, et al.,” praying judgment against Defendants. Said action is predicated on alleged violations of Plaintiffs’ Fourth Amendment rights, and is brought pursuant to 42 U.S.C. §1983. Said action is wholly of a civil nature of which this Court has original jurisdiction under the provisions of Title 28, United States Code, Sections 1343(a)(3) and/or 1331, and is one which may be removed to this Court pursuant to the provisions of Title 28 United States Code Section 1441(a) and (b), as being a civil action involving a claim or claims over which this Court has original jurisdiction and involving a claim or right arising under the Constitution, treaties or laws of the United States, all of which more fully appears in the Plaintiffs’ Complaint, a copy of which is attached hereto and incorporated herein by reference.

2. Said action also contains certain pendent state law claims over which this Court has jurisdiction under the provisions of 28 United States Code Section 1367.

3. A copy of the Summons and Complaint in the case aforesaid was served upon Defendant City of Euclid, Defendants Officer Michael Amriott, Officer Matt Gilmer, and Officer Kirk Pavkov, on September 10, 2018 under and by virtue of Rule 4.3 of the Ohio Rules of Civil Procedure.

4. Defendants attach hereto, and file herewith, a copy of the Summons and Complaint served as aforesaid, as well as copies of all other process, pleadings and orders served upon them.

5. All Defendants join in this Notice of Removal.

WHEREFORE, Defendant pray that the case presently pending in the Cuyahoga County Court of Common Pleas against them be removed to this Court and proceed herein according to law.

Respectfully submitted,

MAZANEC, RASKIN & RYDER CO., L.P.A.

s/James A. Climer

JAMES A. CLIMER (0001532)

JOHN D. PINZONE (0075279)

AMILY A. IMBROGNO (0092434)

100 Franklin's Row

34305 Solon Road

Cleveland, OH 44139

(440) 248-7906

(440) 248-8861 – Fax

Email: jclimer@mrrlaw.com

jpinzzone@mrrlaw.com

aimbrogno@mrrlaw.com

Counsel for Defendant Officer Michael Amriott,
Officer Matt Gilmer, and Officer Kirk Pavkov

s/Kelly Sweeney

KELLEY SWEENEY (0068857)

City of Euclid Department of Law

585 East 222nd Street, Ste. 200

Euclid, OH 44123

(216) 289-2746
(216) 289-2766 – Fax
Email: ksweeney@cityofeuclid.com

Attorney for Defendant City of Euclid

CERTIFICATE OF SERVICE

I hereby certify that on September 28, 2018, a copy of the foregoing Notice of Removal was filed electronically. Notice of this filing will be sent to all registered parties by operation of the Court's electronic filing system. Parties may access this filing through the Court's system.

s/James A. Climer

JAMES A. CLIMER (0001532)

Counsel for Defendant Officer Michael Amriott,
Officer Matt Gilmer, and Officer Kirk Pavkov

EUCLID-180272/Notice of Removal